

EAR. Part 764 of the EAR describes prohibited transactions with a person denied export privileges or activity that violates the terms or conditions of a denial order.

(5) *How do you file a license application and what will happen to the application once you do file it? What if you need authorization for multiple transactions?* Parts 748 and 750 of the EAR provide information on license submission and processing. Part 752 of the EAR provides for a Special Comprehensive License that authorizes multiple transactions. If your application is denied, part 756 of the EAR provides rules for filing appeals.

(6) *How do you clear shipments with the U.S. Customs Service?* Part 758 of the EAR describes the requirements for clearance of exports.

(7) *Where do you find the rules on restrictive trade practices and boycotts?* Part 760 of the EAR deals with restrictive trade practices and boycotts.

(8) *Where are the rules on record-keeping and enforcement?* Part 762 of the EAR sets out your recordkeeping requirements, and parts 764 and 766 of the EAR deal with violations and enforcement proceedings.

(9) *What is the effect of foreign availability?* Part 768 of the EAR provides rules for determining foreign availability of items subject to controls.

(10) *Do the EAR provide definitions and interpretations?* Part 770 of the EAR contains interpretations and part 772 of the EAR lists definitions used.

(b) *Why the EAR are so detailed.* Some people will find the great length of the EAR and their extensive use of technical terms intimidating. BIS believes, however, that such detail and precision can and does serve the interests of the public. The detailed listing of technical parameters in the CCL establishes precise, objective criteria. This should, in most cases, enable you to ascertain the appropriate control status. Broader, more subjective criteria would leave exporters and reexporters more dependent upon interpretations and rulings by BIS officials. Moreover, much of the detail in the CCL is derived from multilaterally adopted lists, and the specificity serves to enhance the uniformity and effectiveness of international control practices and to promote a "level

playing field". The detailed presentation of such elements as licensing and export clearance procedures enables you to find in one place what you need to know to comply with pertinent requirements. Of special importance is the detailed listing of License Exception criteria, as these will enable you to determine quickly, and with confidence, that you may proceed with a transaction without delay. Finally, some of the detail results from the need to draft the EAR with care in order to avoid loop-holes and to permit effective enforcement.

(c) *Where to get help.* Throughout the EAR you will find information on offices you can contact for various purposes and types of information. General information including; assistance in understanding the EAR, information on how to obtain forms, electronic services, publications, and information on training programs offered by BIS, is available from the Office of Exporter Services at the following locations:

Exporter Counselling Division, U.S. Department of Commerce, 14th and Pennsylvania Avenue, N.W., Room H1099D, Washington, D.C., 20230, Telephone number: (202) 482-4811, Facsimile number: (202) 482-3617

and

Western Regional Office, U.S. Department of Commerce, 3300 Irvine Avenue, Suite 345, Newport Beach, California 92660, Telephone number: (714) 660-0144, Facsimile number: (714) 660-9347

and

Santa Clara Branch Office, U.S. Department of Commerce, 5201 Great America Parkway, Suite 333, Santa Clara, California 95054, Telephone number: (408) 748-7450, Facsimile number: (408) 748-7470.

§ 730.9 How the Bureau of Industry and Security is organized.

Functionally, the Bureau of Industry and Security is divided into two branches, Export Administration and Export Enforcement. Also, BIS manages a number of Technical Advisory Committees consisting of industry and government representatives which advise and assist BIS and other agencies with respect to actions designed to implement the EAR.

(a) *Export Administration.* Export Administration implements and administers the export controls reflected in

the EAR. Export Administration consists of five offices located in Washington D.C. and two field offices in California under the supervision of the Assistant Secretary for Export Administration:

(1) The Office of Nuclear and Missile Technology Controls is responsible for policy and technical issues and license applications related to the Nuclear Suppliers Group and the Missile Technology Control Regime. This office has responsibility for items associated with those regimes, and missile and nuclear related exports and reexports subject to the Enhanced Proliferation Control Initiative.

(2) The Office Chemical/Biological Controls and Treaty Compliance is responsible for implementing multilateral export controls under the Australia Group. This office has licensing responsibility for items associated with the Australia Group and related exports and reexports subject to the Enhanced Proliferation Control Initiative.

(3) The Office of Strategic Trade and Foreign Policy Controls is responsible for implementing multilateral export controls dealing with conventional arms and related dual use items. This office is also responsible for computer export control policies, and implements U.S. foreign policy controls (e.g., crime control, anti-terrorism, and regional stability). It also has licensing responsibility for items controlled for national security and foreign policy reasons.

(4) The Office of Exporter Services is responsible for the Special Comprehensive License, processing and routing all license applications, and preparing responses to requests for advisory opinions and commodity classifications. This office also provides counselling to exporters and reexporters, conducts educational seminars for the business community, maintains the Export Administration Regulations, and coordinates the operations of two field offices listed in § 730.8(c) of this part.

(5) The Office of Strategic Industries and Economic Security implements programs to ensure the continued health of the U.S. defense industrial base, facilitating diversification of U.S. defense related industries into civilian

markets, and promoting the conversion of military enterprises. This office is also responsible for analyzing the economic impact of U.S. export controls on industrial competitiveness.

(b) *Export Enforcement.* Export Enforcement implements the enforcement provisions of the EAR, including part 760 of the EAR (Restrictive Trade Practices and Boycotts). This office also conducts outreach programs to assist members of the public in understanding their obligation under EAR. The Office of Export Enforcement is organized into three offices under the supervision of the Assistant Secretary for Export Enforcement.

(1) The Office of Export Enforcement (OEE) is comprised of an office in Washington, D.C. and eight field offices. OEE is staffed with criminal investigators and analysts. This office investigates allegations of violations and supports administrative and criminal enforcement proceedings. The addresses and telephone numbers of the eight field offices are listed in § 764.5(c)(7) of the EAR.

(2) The Office of Enforcement Support (OES) is located in Washington, D.C. OES supports BIS's preventive enforcement efforts, including conducting pre-license checks and post-shipment verifications. OES also provides administrative and analytical support for OEE.

(3) The Office of Antiboycott Compliance administers and enforces the provisions of part 760 of the EAR (Restrictive Trade Practices and Boycotts). It investigates and prepares cases on alleged violations of this part.

(c) *Technical Advisory Committees.* (1) The Technical Advisory Committees (TACs) provide advice and assistance to BIS from U.S. industry regarding the creation and implementation of export controls. For further information regarding establishment of TACs and other information, see Supplement No. 2 to part 730. Existing TACs include the following:

- (i) The Information Systems TAC;
- (ii) The Materials TAC;
- (iii) The Materials Processing Equipment TAC;
- (iv) The Regulations and Procedures TAC;

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(v) The Sensors and Instrumentation TAC; and

(vi) The Transportation and Related Equipment TAC.

(2) *For more information.* For information on attending a TAC meeting or on becoming a TAC member, please contact Ms. Lee Ann Carpenter, Director, TAC Unit, OAS-EA/BIS, Room 3886C, U.S. Department of Commerce, Washington, DC 20230; Telephone number: (202) 482-2583. FAX number: (202) 501-8024.

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§ 730.10 Advisory information.

The general information in this part is just that—general. To achieve brevity, so as to give you a quick overview, the information in this part is selective, incomplete, and not expressed with regulatory precision. The controlling language is the language of succeeding parts of the EAR and of any other laws or regulations referred to or applicable. The content of this part is not to be construed as modifying or interpreting any other language or as in any way, limiting the authority of BIS, any of its components or any other government department or agency. You should not take any action based solely on what you read in this part.

SUPPLEMENT NO. 1 TO PART 730—INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT: OMB CONTROL NUMBERS

This supplement lists the control numbers assigned to the information collection requirements for the Bureau of Industry and Security by the Office of Management and Budget (OMB), pursuant to the Paperwork Reduction Act of 1995. This supplement complies with the requirements of section 3506(c)(1)(B)(i) of the Paperwork Reduction Act requiring agencies to display current control numbers assigned by the Director of OMB for each agency information collection requirement.

Current OMB control No.	15 CFR part or section where collections of information are identified or described
0694-0001	§ 748.12(d) of the EAR.
0694-0004	Part 768 of the EAR.
0694-0008	§ 748.13, Supplement No. 5 to part 748 of the EAR.
0694-0009	§ 748.10(e) of the EAR.
0694-0012	Part 760 and § 762.2(b) of the EAR.
0694-0013	Part 774 of the EAR.
0694-0015	§ 773.3 of the EAR.

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Current OMB control No.	15 CFR part or section where collections of information are identified or described
0694-0016	§§ 748.13 and 762.2(b) of the EAR.
0694-0017	§ 748.10 of the EAR.
0694-0021	§§ 748.11 and 762.2(b) of the EAR.
0694-0023	§§ 740.3(d) and 740.4(c) of the EAR.
0694-0025	§§ 754.4 and 762.2(b) of the EAR.
0694-0026	§ 754.3 of the EAR.
0694-0027	§ 754.2 of the EAR.
0694-0029	§ 740.4(a) of the EAR.
0694-0030	Supplement No. 2 to part 748, paragraph (p) of the EAR.
0694-0031	§ 750.9 of the EAR.
0694-0032	§ 748.4(d)(2) of the EAR.
0694-0033	§§ 740.7(b) and 762.2(b) of the EAR.
0694-0038	§ 758.6(e)(2) of the EAR.
0694-0040	§§ 758.5(c)(2) and 758.8 of the EAR.
0694-0047	Supplement No. 2 to part 748, paragraph (o)(2) of the EAR.
0694-0048	§ 748.3 of the EAR.
0694-0050	§ 752.5(c)(5) of the EAR.
0694-0051	§ 750.10 of the EAR.
0694-0058	§§ 762.2(b) and 764.5 of the EAR.
0694-0064	§§ 748.9 and 762.2(b) of the EAR.
0694-0065	§ 754.4(c) of the EAR of the EAR.
0694-0073	§ 742.12, Supplement No. 3 to part 742, and § 762.2(b) of the EAR.
0694-0078	Supplement No. 1 to part 774 of the EAR.
0694-0086	Supplement No. 1 to part 774 of the EAR.
0694-0088	Parts 746, 748, and 752; § 762.2(b) of the EAR.
0694-0089	Part 752 and § 762.2(b) of the EAR.
0694-0093	§§ 748.10 and 762.2(b) of the EAR.
0694-0094	Part 758 of the EAR of the EAR.
0694-0095	§§ 740.7(a)(3)(ii) and 758.1(d) of the EAR.
0694-0096	Part 760, § 762.6(a) of the EAR.
0694-0097	§§ 752.15(b), 758.6, and 762.2(b) of the EAR.
0694-0102	§§ 754.6 and 754.7 of the EAR.
0694-0101	§ 734.4 of the EAR.
0694-0100	Supplement No. 1 to part 730.
0607-0001	§ 758.2(m) of the EAR.
0607-0018	§§ 740.1(d), 740.3(a)(3), 752.7(b), § 752.15(a) of the EAR.
	§§ 754.2(h) and (i), 754.4(c) 758.1, § 758.2(m) and 758.3 of the EAR.
0607-0152	§§ 740.1(d), 740.3(a)(3), 752.7(b), § 752.15(a) of the EAR.
	§§ 754.2(h) and (i), 754.4(c), 758.1, § 758.2(m), and 758.3 of the EAR.

SUPPLEMENT NO. 2 TO PART 730—TECHNICAL ADVISORY COMMITTEES

(a) *Purpose.* The purpose of this supplement is to describe the procedures and criteria for the establishment and operation of Technical Advisory Committees.

(b) *Technical advisory committees.* Any producer of articles, materials, or supplies, including technology, software, and other information, that are subject to export controls, or are being considered for such controls because of their significance to the national security of the United States, may request the Secretary of Commerce to establish a technical advisory committee, under the provisions of section 5(h) of the Export Administration Act of 1979, as amended (EAA) to advise and assist the Department of Commerce and other appropriate U.S. Government agencies or officials with respect to